

MINUTES  
TOWN OF FREDERICK  
BOARD OF TRUSTEES  
Frederick Town Hall  
May 25, 2010  
7:00 p.m.

Attendance: Mayor Eric Doering, Mayor Pro Tem Tony Carey, Trustees Gerry Pfirsch, Sue Wedel, Rafer Burnham, Jim Wollack and Amy Schiers. Also present were Town Administrator Derek Todd, Town Attorney Rick Samson, Town Clerk Nanette Fornof, Administrative Services Director Bryan Ostler, Police Chief Gary Barbour and Planning Director Jennifer Simmons. Audience was also present.

**ROLL CALL** Mayor Doering called the regular meeting to order at 7:02 p.m.; roll call was taken and all Trustees were present.

**PLEDGE OF ALLEGIANCE** Mayor Doering led the audience in the Pledge of Allegiance.

**ADDITIONS OR DELETIONS TO THE AGENDA** there were no additions or deletions to the agenda.

**PUBLIC COMMENTS**

**Carbon Valley Recreation District Quarterly Update** Renee Witty, District Manager provided information about the numbers of attendees and the different types of activities the District offers the citizens of the Carbon Valley Community.

**Mike Kollarits** a Dacono Resident and a Medical Marijuana Care Giver for 50 patients in Glacier Business Park. Kollarits made comment about the location of his business and how there is no impact to the downtown Frederick area. He (Kollarits) also provided information about the community impact, the financial benefits of his operations and his opinion of the legal issues at hand.

**STAFF REPORTS**

**Administrative Report** Town Administrator, Derek Todd, provided the Board with the Administrative Report which highlighted the following items: Upcoming Board of Trustees Work Sessions. The Administrative Services Department provided information regarding Potential Legislation, Utility Billing, Recruitment Update and Training. The Engineering Department is working on Street Chip Seal, State Highway 52 & Silver Birch Boulevard, Northern Integrated Supply Project and Northern Water Tours. The Planning Department provided information regarding Park, Open Space and Trails Master Plan, ArcGIS Enterprise Licensing and Development Review. From the Police Department information was provided about Neighborhood Watch, Nation Night Out and Safe Destruction of Unneeded Pharmaceuticals. Town Administrator, Derek

Todd also mentioned the Parks and Open Space Commission will be implementing the Tree Program this year; additional information will be found in the June Newsletter.

**Town Attorney Report** Town Attorney Rick Samson provided the Board of Trustees with a written Status Report. Samson also provided updates about the SMT Litigation, KP Kauffman Oil and Gas litigation and Certificate of Occupancy issue at Glacier Business Park.

## **ACTION AGENDA**

**AM 2010-056, To Consider A Moratorium of Medical Marijuana** At the December 8, 2009, Board of Trustees regular meeting, the Board was presented draft regulations regarding medical marijuana. The Board at that time chose to enact a 180 day moratorium, instead of enacting the proposed regulations. The moratorium will end on June 6, 2010. During the moratorium, State Legislation passed House Bill 10-1284 regarding regulation of medical marijuana and sent it to the Governor for his consideration. Since the bill provides new regulations and definitions, there are some uncertainties as to how it will be implemented. The new moratorium will allow staff additional time to explore the bill and provide the Board of Trustees with complete information on what can and cannot be done per the new regulations. The Town of Frederick will need to consider regulating the number of plants per care giver once the Governor has sign the new legislation.

Motion by Mayor Pro Tem Wedel to approve Resolution 10R023, A RESOLUTION OF THE TOWN OF FREDERICK, COLORADO, ADOPTING A MORATORIUM ON REVIEW AND ISSUANCE OF LICENSES AND PERMITS FOR MEDICAL MARIJUANA CENTERS WITHIN THE TOWN, Trustee Wollack seconded the motion and motion carried unanimously.

## **CONSENT AGENDA**

Motion by Trustee Pfirsch to approve the Consent Agenda with the following items; the Approval of List of Warrants for May 25, 2010, Approval of the May 11, 2010, Regular Meeting Minutes and AM 2010-055, To Consider Cancelling the June 22, 2010, Regular Board Meeting, Trustee Wedel seconded the motion, motion carried unanimously.

**Executive Session** Motion by Trustee Burnham to go into an executive session for a conference with the Town attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b), Trustee Wollack seconded the motion and motion carried unanimously. The executive session began at 8:28. Mayor Doering resumed the regular meeting at 8:50p.m.

## **MAYOR AND BOARD REPORTS**

**Trustee Burnham** made mention of a way to maintain trails throughout the Town; make the trail a resident subdivision trail only.

**Mayor Pro Tem Carey** made a motion to direct staff to provide information to the Board regarding what impact the implementation of Trustee Wollack employee thank you program would have on the Town's budget, Trustee Wollack seconded the motion and motion carried unanimously.

**Trustee Pfirsch** made comment about the Mile High Compact project and also about a pot hole within the Town limits.

**Trustee Schiers** indicated she will be attending the North Metro Chamber meeting where there will be discussion about Amendments 60 and 61 and Proposition 101; additional information regarding these amendments and proposition will be given later.

**Trustee Wedel** would like staff to prepare information about what impact the adoption of Amendment 60, 61 and Proposition 101 will have on the Town of Frederick. Motion by Mayor Pro Tem Carey to direct staff to prepare information regarding the impact the adoption of Amendment 60, 61 and Proposition 101 will have on the Town of Frederick; Trustee Pfirsch seconded the motion and motion carried unanimously.

**Trustee Wollack** made mention about the Medical Marijuana issue, status regarding the SMT litigation and the possibility of them (SMT) annexing to the Town of Frederick. Trustee Wollack provided information to the Town Board about an employee thank you program; Motion by Trustee Wollack seconded by Trustee Wedel to have staff make a recommendation regarding the implementation of the employee thank you program. The motion included staff provide information regarding the budget impact, revenue savings and the effect of implementing the proposed program. The program would be for full-time employees.

**Mayor Doering** made mention of all the activities the Town had for the community this past weekend and what the Town will be offering in the future. Mayor Doering also mentioned the ground breaking for the new Frederick High School, the attendance of the District 2 meeting, attending the Governor's State of Address and the Energy Impact Assistance Grant funding. Mayor Doering requested the Board support City of Dacono Councilman Joe Baker to the CML Executive Board; the Board was in agreement to draft a letter of support endorsing Councilman Joe Baker.

There being no further discussion, Mayor Doering closed the regular meeting at 9:16p.m.

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Nanette S. Fornof, Town Clerk

Approved by the Board of Trustees

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Eric E. Doering, Mayor